

Chapter 50 SUBDIVISIONS*

***Cross references:** Buildings and building regulations, ch. 10; subdivision control procedures, § 30-8; stormwater management, ch. 48; utilities, ch. 58; platting fees, app. B.

State law references: Land division act, MCL 560.101 et seq.; township planning, MCL 125.321 et seq.

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ARTICLE I. IN GENERAL

Sec. 50-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a public or private right-of-way shown on a plat which provides secondary access to a lot, block or parcel of land.

Block means a tract of land bounded by actual or platted streets, waterways, or other definite boundaries, or a combination thereof.

Dry sanitary sewer system means a sanitary sewer system constructed by the developer, proprietor or other person, at such time as a plat or area in the township is developed with other improvements so as to be available for immediate interconnection with public sanitary sewer system when such public sanitary sewer system is available.

Extended phases of preliminary plat means additions or attachments to the preliminary plat showing information as required for the preliminary plat, and submitted together with a preliminary plat for review and hearing by the planning commission for which the developer is not requesting preliminary approval by the township board.

Lot means a measured portion of a subdivision or any other parcel of land which is intended as a unit for transfer of ownership or for development.

Preliminary plat means a map showing the salient features of a proposed subdivision submitted to the township for the purpose of preliminary consideration.

Proprietor means a natural person, firm, association, partnership, corporation or combination of any of them which may hold any ownership interest in land, whether recorded or not.

Street means a dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting property.

Subdivision control act means Act No. 288 of the Public Acts of Michigan of 1967 (MCL 560.101 et seq.), as amended.

Subdivision, plat or subdivide means as defined in the Subdivision Control Act of 1967, MCL 560.101 et seq.

(Ord. No. 125, § II, 12-26-72)

Cross references: Definitions generally, § 1-2.

Sec. 50-2. Chapter provisions supplemental and in addition to subdivision control act.

- (a) This chapter shall at all times be construed to be supplemental and in addition to the requirements and the procedures as set forth in the Subdivision Control Act of 1967, as amended.
- (b) No provision of this chapter is meant to waive any requirements as set forth in subdivision control act.

(Ord. No. 125, § XV, 12-26-72)

Sec. 50-3. Division of platted lots.

Platted lots may be partitioned or divided into not more than four parts, provided that the resulting lots or parcels or combination of portions of two or more divided lots shall not be less in width or size than the more restrictive of the township zoning ordinance or the MCL 560.101 et seq.), and provided further that such resulting lots shall each have direct access to a public roadway and also to public utilities necessary or required to service such lot, and provided further, that all such resulting lots shall conform in all particulars to the requirements of the Land Division Act and all township ordinances or subdivision control ordinances of the township.

(Ord. No. 116, § II, 2-12-68)

Secs. 50-4--50-25. Reserved.

ARTICLE II. PRELIMINARY PLAT PROCEDURE

Sec. 50-26. Procedures for approval of preliminary plat.

- (a) *Application for approval of preliminary plat.* The proprietor shall submit nine copies of a preliminary plat, including any extended phases of a preliminary plat of the proposed development to the township clerk for approval by the township board. The preliminary plat and any extended phases of the preliminary plat shall either contain the following information, or additional maps or surveys containing such information, which shall be submitted with the preliminary plat:
 - (1) *Vicinity map.* A vicinity map showing the location of the property to be platted, adjoining roads, physical features, township or section lines to which reference may be made, school districts located, within the plat and the general location of the proposed plat in relation to schools, shopping centers and other major community facilities.
 - (2) *Topographical survey map.* A topographical survey map of the property platted area, including location of property lines, topographical lines at not more than two-foot elevation intervals, streams, lakes, swamps and drainage courses, existing streets and highways within the area to be platted, or in the immediate vicinity of the area to be platted, from which access to the property can be made, and the adjacent property lines. The widths of street rights-of-way, street layout, street names, connections with adjoining platted streets and potential extensions into adjoining unplatted lands, lot lines including typical lot dimensions and the name of plat or subdivision.
- (b) *Review by zoning administrator.* The township clerk shall then submit one copy of the preliminary plat and any extended phases of the preliminary plat, and one copy of each and every design, drawing, map or other data to the township zoning administrator, who shall check the plat and other data submitted for completeness and, if necessary,

investigate the area in the proposed plat. The zoning administrator shall submit a written report, one copy to the planning commission, at or before the scheduled hearing of the preliminary plat, and one copy to the township superintendent for use by the township board, and be present in person at the meeting of the planning commission. The report shall include the following:

- (1) *Suitability of land.* Opinion of the zoning administrator as to the suitability of the land for platting.
 - (2) *Zoning considerations.* Determination of the zoning in the proposed plat area as to whether or not the proposed plat violates any of the provisions of this chapter, or any of the provisions of the township zoning ordinance, or any of the provisions of the Subdivision Control Act of 1967, as amended.
 - (3) *Other factors.* Opinion of the zoning administrator on any other factors which would be of general concern to the township in respect to the development of the proposed plat, and whether or not it conforms with any master plan then developed, or being developed, by the township.
- (c) *Review by planning commission.* The zoning administrator shall then place the proposed subdivision and include the proposed extended phases on the agenda of the planning commission at a meeting which shall be held within 45 days subsequent to the filing of the preliminary plat, unless a previous hearing has been held on the proposed subdivision as an extended phase of a preliminary plat, and shall notify the adjoining property owners of the proposed hearing at least ten days prior to the hearing.
- (d) *Hearing.* The planning commission at the hearing shall review the preliminary plat and any extended phases of the preliminary plat, as submitted, and review the report of the zoning administrator and shall consider such other information it obtains on its own initiative and such information that may be presented to the meeting.
- (e) *Adjournment of hearing; request for changes.* The planning commission may adjourn any such hearing from time to time, but for not more than 75 days from the date of filing, and may request within such time changes in the preliminary plat and/or changes in the extended phases of the preliminary plat or other data submitted, or require additional information from the proprietor.

(Ord. No. 125, § III, 12-26-72; Ord. No. 2009-03, 4-13-09)

Sec. 50-27. Review; tentative approval or disapproval of preliminary plat.

- (a) The township board shall receive the report on any preliminary plat from the planning commission, and shall review the preliminary plat, together with the report of the planning commission, along with any other data it may feel necessary or advisable, at its next regular scheduled meeting. The review of the preliminary plat by the township board may be adjourned from time to time by the township board; provided, however, that it

shall give its tentative approval or rejection within 90 days from the date the preliminary plat was filed with the township clerk. If the preliminary plat is rejected, the board shall set forth its reason in writing for such rejection.

- (b) In consideration of the preliminary plat, the township board shall consider all matters as set forth for consideration by the planning commission. In granting tentative approval, the township board may make such tentative approval, subject to certain conditions which must be fulfilled by the proprietor prior to final approval of the preliminary plat, provided such conditions are in conformity with the provisions of this article.
- (c) The township board shall review each extended phase of the preliminary plat submitted in the same manner as set forth in subsections (a) and (b) of this section and the report of the planning commission of each extended phase of the preliminary plat, as proposed, and may make recommendations for any changes it deems desirable. It shall not approve or reject any extended phase of the preliminary plat.

(Ord. No. 125, § VII, 12-26-72)

Sec. 50-28. Approval of preliminary plat formerly reviewed as extended phases of preliminary plat.

- (a) *Application for tentative approval for former extended phase of preliminary plat.* The proprietor shall submit as a preliminary plat for tentative approval any proposed subdivision previously submitted as an extended phase of the preliminary plat in accordance with section 50-26, but shall not be required to resubmit all additional information as required by subsections (1) and (2) of section 50-26.
- (b) *Review by zoning administrator.* The township clerk shall submit one copy of the preliminary plat to the township zoning administrator, who shall determine whether or not it conforms with the extended phase of the preliminary plat, as originally submitted, and shall submit his report to the planning commission and to the township board.
- (c) *Review by planning commission.* The planning commission shall review the proposed subdivision and make a report of its findings in the same manner as set forth in section 50-26(c). However, the commission shall not be required to hold a public hearing on the preliminary plat or require a notice to be sent to adjacent property owners.
- (d) *Recommendation for approval or disapproval.* After consideration, the planning commission shall report its findings and make recommendations for approval or disapproval to the township board.

(Ord. No. 125, § VII-A, 12-26-72)

Sec. 50-29. Final approval of preliminary plat.

The proprietor must resubmit the preliminary plat to the township board for final approval within one year from the date of tentative approval, unless such time has been extended by action of the township board. The following shall be included:

- (1) *Engineering of water supply system.* If the preliminary plat is required to interconnect, or does in fact interconnect with a public water supply system of the township or water system of any adjoining township or municipality, the proprietor must submit engineering drawings of the proposed water system to the township clerk at least 30 days prior to submitting the preliminary plat for final approval. The engineering drawings must comply with all the construction requirements of the township, and must be in such detail as to fully inform the township engineer that the proposed installation will conform with such township construction requirements, any requirements as set forth in any township ordinance, or any water supply contract between the township and any other municipal government.
- (2) *Engineering drawings of sanitary sewer system.* The proprietor must submit engineering drawings of the proposed sanitary sewer system on all plats, except those which are located in a rural residential zoning district, at least 30 days prior to submitting the preliminary plat for final approval. The engineering drawings must comply with all the construction requirements of the township, and must be in such detail as to fully inform the township engineer that the proposed installation will conform with such township construction requirements, and any requirements as set forth in any township ordinance, or any sanitary sewer system contract between the township and any other municipality. Engineering drawings of proposed sanitary sewer installation may be of either a deep sewer, which is installed at a depth which is sufficient so that all potential customers may provide basement or lower level service by gravity, or a shallow sewer which is installed at a lesser depth, which depth is sufficient to serve customers only on the condition that grinder pumps are installed on certain service lines between the customer and the main, or installed to serve by gravity from the main floor to the sewer main.
- (3) *Examination by engineer.* Copies of such plans and drawings shall be submitted by the township either to the township engineer, or to an engineer hired by the township for examination, and for a report back to the township board to their recommendation to whether the proposed drawings and constructions planned conform with the requirements of the township.

(Ord. No. 125, § VIII, 12-26-72)

Sec. 50-30. Submission of preliminary plat for final approval; conditions.

On submission of the preliminary plat to the township board for final approval, the proprietor shall submit all required approvals and letters as set forth in the subdivision control act. The preliminary plat shall be given final approval, provided the proprietor has complied with the following:

- (1) All of the conditions set forth on the tentative approval of the preliminary plat have been complied with, or provisions have been made for compliance.
- (2) All plats that are adjacent to or within one-half mile of any existing public water supply shall have the interconnection water line no longer than one-half mile, are to be constructed in such a manner so as to interconnect with the water supply, and that such plans are in compliance with the township ordinances, and any county requirements, pursuant to the contractual agreements between the township, the City of Wyoming, Kent County, Michigan, and any other municipal government.
- (3) All subdivisions that are adjacent to or within one-half mile of any existing public sanitary sewer facilities, which facilities are able to provide service to such subdivision, unless the topography of the area is such that such sewer connections would not be reasonable or such engineering would not be normal and good engineering or construction, shall interconnect with such system.
- (4) All subdivisions shall include the construction of a sanitary sewer system for the entire plat, including service laterals constructed a distance of at least ten feet inside the property line of each lot located therein, whether or not such plat is required to interconnect to a sanitary sewer system; except those subdivisions which are located in areas zoned rural residential; provided, however, that such construction shall not be required under any existing improved hardtop street.
- (5) In all subdivisions that include construction of a dry sanitary sewer system, the proprietor shall, at the option of the proprietor, either:
 - a. Enter into an agreement with the township which provides that the proprietor shall install and construct the required sewer trunk main and required stub installations, which it is proposed shall adjoin, abut or traverse the plat being approved, in such a manner as required by the township engineer, and at such time as the township extends the proposed sewer trunk to service the proposed plat. The proprietor shall deposit with the township clerk a sum which would, as estimated by the township engineer, equal the cost of the trunk main to be determined at the estimated future date of construction, including all stub and other installation charges, either in a cash deposit, certified check, or irrevocable bank letter of credit, whichever the proprietor selects, or a surety bond acceptable to the municipality; or
 - b. Enter into an agreement with the township whereby the township shall apply all costs of installation and construction of the required sewer trunk main stub installation, at such time as the sewer trunk is extended to the plat. The proprietor shall pay to the township a sum which would be equal to the share which would be assessed against the plat for the construction

and installation of the trunk main on a front foot basis, as determined by the township, which shall be equal to the average installation cost of an eight-inch main, plus lots of comparable stub installations, to be determined and based on prices existing at or about the date of execution of the agreement.

- (6) If construction of a sanitary sewer system in all or any part of a proposed plat is, because of the topography of the area or for other reason, impractical or unreasonable in the opinion of the township engineer, and such public sanitary sewer systems cannot practically be used within the near future; and provided that the municipal or state health authorities then having jurisdiction file with the township their consent that permits for construction will be issued for private sanitary sewer system for the lots within the plat, the township board may, by resolution, waive any or all the requirements of subsection (3) of this section; provided, however, that the township board may make such additional conditions and requirements to the waiver as they deem necessary for the protection of the township.
- (7) Except where streets and alleys are available for the purpose, the planning commission or township board may require easements, not exceeding 12 feet in width, for poles, wires, conduits, storm and sanitary sewers, gas mains, water mains or other utility lines within the proposed subdivision. Easements of the same or greater width may be required within the subdivision, where necessary, for the preservation of a natural drainageway or for the extension of existing or planned utilities.
- (8) The township board shall, within 20 days after receipt of the preliminary plat for final approval, together with letters of approval as set forth in the subdivision control act, provided plans and specifications for any required water supply systems and sanitary sewer system have been on file, as required, review and consider the preliminary plat. The board shall approve or disapprove the plat, and shall notify the proprietor of its approval or rejection in writing and, if rejected, shall notify the proprietor the reasons for rejection in writing.
- (9) The proprietor of all plats constructed with shallow sanitary sewer installation, which does not provide for gravity sanitary sewer service connections to all the lots and the plats, shall record with the register of deeds a memorandum stating which lots of the plat may require installation of grinder pumps at such time sanitary sewer service is obtained, and that the cost of the pumps shall be paid by the lot owner at time of installation.

(Ord. No. 125, § IX, 12-26-72)

Secs. 50-31--50-50. Reserved.

ARTICLE III. DESIGN STANDARDS

Sec. 50-51. For tentative approval of preliminary plat.

Any preliminary plat or extended phase of a preliminary plat filed for approval with the township must conform with the following standards and specifications:

- (1) *Street layout.* Street layout and arrangement shall provide for the continuation of existing principal streets in surrounding areas, or conform to a plan of the general area or neighborhood, approved and adopted by the planning commission. In any event, the subdivider shall provide for satisfactory future circulation within the neighborhood or general area by extending the street system within the proposed subdivision to the property boundary line of the tract at points not more than 1,300 feet apart. Minor streets shall be so arranged as to discourage their use by through traffic.
 - a. Where a proposed subdivision abuts or contains a railroad right-of-way, the planning commission may require the location of a street approximately parallel to, and on each side of, such right-of-way at a distance suitable for the appropriate use of the abutting land.
 - b. Proposed streets shall be arranged in relation to the existing topography, so as to produce usable lots and streets of reasonable gradient.
 - c. Except where justified and with the approval of the planning commission, alleys will not be approved.
 - d. Other than specified in this section, the location and arrangement of streets shall conform to the work entitled, "Standards and Specifications for Plat Development and Street Construction," as adopted by the county road commission.
- (2) *Street design and lighting.* All streets and roadways shall conform, as a minimum standard with the standards and specifications adopted by the board of county road commissioners, as amended, with the following additional requirements:
 - a. No street shall be constructed with open ditches for drainage.
 - b. Alleys, if permitted, shall have a width of not less than 20 feet.
 - c. All streets and roadways must meet the requirements of the work entitled, "Georgetown Township Zoning Ordinance Minimum Design Standards for Streets and Highways."
 - d. All streets shall be provided with street lighting, so that such lights have a maximum linear distance of 350 feet from each other, and the proprietor shall petition the township to establish a special assessment district of the

subdivision to provide for annual maintenance assessments for such lighting.

- e. All streets which do not interconnect with a street at each end, and either dead end or terminate in a cul-de-sac, except streets one lot deep, shall be marked by an approved street sign at the last intersecting corner indicating a dead-end or no outlet street.
- (3) *Blocks; exceptions.* The maximum lengths of blocks shall be 1,500 feet, measured between the intersections of centerlines, with the following exceptions:
- a. In subdivisions where the proposed minimum street frontage of width of lot at the building line is at least 200 feet, the 1,500-foot maximum length of blocks may be exceeded by not more than 500 feet.
 - b. Under extreme topographic conditions, the planning commission may approve exceeding the 1,500-foot maximum length of blocks.
 - c. The maximum length of a cul-de-sac street shall be 600 feet, measured from the centerline of the closest intersecting street, which street itself is not a cul-de-sac or dead-end street.
- (4) *Crosswalks.* Where necessary to obtain satisfactory pedestrian circulation, as determined by the planning commission within a proposed subdivision, and, where blocks exceed 1,000 feet in length, an easement for a crosswalk or pedestrian way of at least eight feet in width shall be dedicated extending entirely through the block.
- (5) *Lot planning.* In any subdivision proposed for residential use, the minimum lot width, depth and area shall be appropriate for the location and type of land use contemplated, but in no case shall any of the lot dimensions or area requirements be less than that specified in the township zoning ordinance for the zone in which the proposed subdivision is located.
- (6) *Alleys.* Except where alleys may be permitted for the purpose, a utility easement may be provided along rear or side lot lines, as necessary for the installation of the appropriate utilities, either overhead or underground. The width of this easement shall be a minimum of ten feet, up to a maximum as required by engineering requirements.
- (7) *Greenbelts and plantings.* When it is desirable for the protection of residential properties to have greenbelts or landscape screen plantings located between a residential development and adjacent express highways and other major arterial streets and railroad rights-of-way, the preliminary plat and each extended phase of the preliminary plat shall show the location of proposed greenbelts.

- (8) *Public open spaces.* Where a school site, a neighborhood park, or recreation area or public access to water frontage, as indicated on the township master plan for land and land use, is located in whole or in part in the applicant's subdivision, the planning commission may require the reservations of such open space within the subdivision, up to a total of ten percent of the gross area for water frontage of the plat, for school, park and recreation, and for public access for water frontage purposes. It is further provided that unless the township, or any other municipal governmental authority, state government, federal government, school district, or other governmental agency agrees to purchase the reserved area, or starts condemnation proceedings to acquire such reserved area prior to the time that the plat is given final approval by the township, such reserved area shall be released to the proprietor.
- (9) *Common and open space areas.* When a plat includes common and/or open space areas, an association shall be established to provide for the continued maintenance of such areas. In instances of double frontage lots (where a lot abuts a street where no access would be allowed), an association shall be responsible for the maintenance of parkways (the area between the pavement of the road and the right-of-way/property line) adjacent to the street where no access is permitted.

(Ord. No. 125, § IV, 12-26-72; Ord. No. 2005-11, 12-12-05)

Sec. 50-52. Variances.

When the subdivider can show that a literal enforcement of the standards of this chapter would cause unnecessary hardship if strictly enforced or where, because of topographical or other conditions peculiar to the site the standards require adjustments, departure may be made without destroying the intent of such provisions. The planning commission may recommend a variance, or the township board on its own initiative may approve a variance; provided, however, that such variance from the terms of this chapter may not change or amend the requirements of the township zoning ordinance.

(Ord. No. 125, § V, 12-26-72)

Sec. 50-53. Report of planning commission.

The planning commission shall report its findings and make a separate recommendation to the township board on the proposed preliminary plat, and on each extended phase of the preliminary plat submitted, a copy of which shall be on file with the township clerk for inspection of an interested person, and a copy of which shall be mailed to the proprietor. Such report must be filed with the township clerk within five days after any decision by the planning commission.

(Ord. No. 125, § VI, 12-26-72)

Secs. 50-54--50-75. Reserved.

ARTICLE IV. IMPROVEMENTS; FINAL PLAT

Sec. 50-76. Construction of improvements.

- (a) No construction or installation of any street improvements, sewer, water supply systems, grading or leveling in anticipation of the approval of any plat in any designated area shall commence prior to the final approval by the township of the preliminary plat.
- (b) During the construction of the improvements for the installation of the streets and highways, utilities, water and sanitary sewer supply systems, the township shall have the right to inspect such construction and installation to ascertain whether or not such construction complies with the plans and specifications, as filed with the preliminary plat to obtain approval, and whether or not such construction conforms, with the required plans and specifications as set forth in the conditions for approval of the final plat. If it is ascertained that the construction does not conform with such requirements, the township zoning administrator shall have the right to notify the proprietor that the actual construction does not conform to the specifications of the township, and shall give written notice to the proprietor that the final plat will not be approved unless the construction is made to conform with the required specifications and drawings.

(Ord. No. 125, § X, 12-26-72)

Sec. 50-77. Conditions for approval of final plat.

- (a) Within two years after final approval of the preliminary plat by the township, unless such time is extended by action of the township board, the proprietor shall resubmit the final plat for approval, together with all necessary documents and letters so as to comply with the subdivision control act. All construction of improvements must conform with the plans and specifications, as set forth in the preliminary plat and engineering drawings as set forth in conjunction with the preliminary plat, and any conditions as set forth on approval must be complied with. In addition, the construction must include the following:
 - (1) All streets and alleys shall be graded to their full right-of-way width by the subdivider, so that pavements and sidewalks and other improvements can be constructed by using the finished grade level. Under special topographical conditions, variances may be made if approved by the county road commission.
 - (2) All streets, roadways and alleys must conform with the standards and specifications for plat development and street construction of the county road commission.
 - (3) After receipt of the final plat approval, the township must either approve or disapprove the plat within the next 20 days thereafter, or at the next township meeting, according to the provisions of the subdivision control act.

- (b) After the subgrade for a street has been completed and the remainder of the street right-of-way has been graded, and before any gravel subbase is applied, all the underground work for any required water mains, sanitary sewers, storm sewers, gas mains and electric power conduits shall be properly installed; the water service connection shall be installed to within seven feet of the property line; and the sewer lateral connection to the property line for approval. All underground improvements so installed for the purpose of future service connections shall be properly capped and backfilled.
- (c) The proprietor shall submit to the township, with the final plat, as-built plans for all water and sewer installations in the plat, which shall become the sole property of the township.

(Ord. No. 125, § XI, 12-26-72)

Sec. 50-78. Special assessments for improvement.

In cases where the proprietor is required to construct a public water supply system or public sanitary sewer systems, and all properties abutting the proposed system are not under control of the proprietor, the proprietor may request the township to provide the necessary public improvements and to assess the cost of such improvements against abutting properties in accordance with the legal and other requirements regarding special assessments; provided, however, that the subdivider shall be responsible for any difference between the cost of the improvements and the amount that can be legally assessed by the respective legislative body against the property to be assessed, shall furnish the necessary waivers to permit the assessment of abutting properties over which he has jurisdiction, and such additional costs as are required over and above the legal limits for special assessment against other abutting properties, with both the special assessments and additional costs to be provided by the subdivision developer in an amount equal to the total cost of the specific public improvement.

(Ord. No. 125, § XII, 12-26-72)

Sec. 50-79. Fees.

- (a) At the time of filing the preliminary plat, the subdivider shall pay a fee established by the township for the review of the plat.
- (b) At the time of filing a set of engineering drawings for a sanitary sewer and a water supply system, the subdivider shall pay a fee established by the township for each set of engineering drawings.
- (c) At such time as the township board grants final approval of the plat, the township board shall have the right to make such approval subject to the payment of an additional final fee which shall be paid by the proprietor. Such fee shall be based on engineering and inspection costs incurred by the township for review of plans and during the development and construction of the plat.

(Ord. No. 125, § XIII, 12-26-72)

Sec. 50-80. Guarantee in lieu of completion of public improvements.

In lieu of the actual installation of the required public improvements, the subdivider may elect to provide a financial guarantee of performance in one or more of the following arrangements:

- (1) *Performance on surety bond.* Performance on a surety bond shall be as follows:
 - a. The bond shall accrue to the respective governmental agency responsible for administering the construction, operation and maintenance of the specific public improvement.
 - b. The bond shall be in an amount equal to the total estimated cost for completing construction of the specific public improvement.
 - c. The term length in which the bond is in force shall be for a period to be specified by the respective public agency responsible for the specific public improvement.
 - d. The bond shall be with a bonding company or surety company authorized by the state secretary of state or the state to do business in the state.
- (2) *Cash deposit, certified check or negotiable bond.* Cash deposits, certified checks or negotiable bonds shall be utilized as follows:
 - a. A cash deposit, certified check, or negotiable bond shall accrue to the respective public agency responsible for administering the construction, operation or maintenance of the specific public improvement. These deposits shall be made with the treasurer of the respective government of which the public agency is a part, or deposited with a responsible escrow agent or trust company, subject to the approval of the respective governmental legislative body, the township board, or county road commission, or county drain commission.
 - b. The dollar value of the cash deposit, certified check or negotiable bond shall be equal to the total estimated cost of construction of the specific public improvement.
 - c. The escrow time for the cash deposit, certified check, or negotiable bond shall be for a period to be specified by the respective public agency responsible for administering the specific public improvement.
- (3) *Progressive payment agreement.* In case of either cash deposits or certified checks, an agreement between the respective public agency and the subdivision developer shall provide for progressive payments out of the deposit to the extent

of the estimated cost of the completed portion of the public improvement in accordance with the standard practices of the public agency responsible for administering the specific public improvement.

(Ord. No. 125, § XIV, 12-26-72)